

AN ORDINANCE 2006-02-09-0202

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY
OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED
DEVELOPMENT CODE, SECTION 35-304, OF THE CITY
CODE OF SAN ANTONIO, TEXAS BY CHANGING THE
ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.**

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WHEREAS, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of the South 116 feet of Lots A1 and A2 except for the Northwest 25 feet by 54 feet, NCB 2569 from "I-1" General Industrial District and "I-2" Heavy Industrial District to "IDZ" Infill Development Zone District with uses permitted in "O-1" Office District, "C-2" Commercial District, and "MF-25" Multi-Family District.

SECTION 2. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

SECTION 3. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

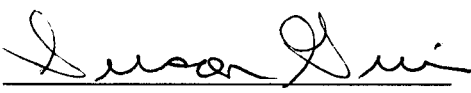
SECTION 4. This ordinance shall become effective on February 19, 2006.

PASSED AND APPROVED this 9th day of February, 2006.


M A Y O R

PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
For City Attorney

Agenda Voting Results

Name: Z-7.

Date: 02/09/06

Time: 02:19:48 PM

Vote Type: Multiple selection

Description: ZONING CASE #Z2005279 (District 5): An Ordinance amending the zoning district boundary from "I-1" General Industrial District and "I-2" Heavy Industrial District to "IDZ" Infill Development Zone District with uses permitted in "O-1" Office District, "C-2" Commercial District, and "MF-25" Multi-Family District on the South 116 feet of Lots A1 and A2 except for the Northwest 25 feet by 54 feet, NCB 2569, 1512 South Flores Street as requested by Billy A. Lawrence/Magnificent So Flo Seven Ltd., Applicant, for Billy A. Lawrence/Magnificent So Flo Seven Ltd., Owner(s). Staff and Zoning Commission recommend approval.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

CASE NO: Z2005279

Staff and Zoning Commission Recommendation - City Council

Zoning Commission Continuance from December 6, 2005

Date: February 09, 2006

Zoning Commission Meeting Date: January 17, 2006

Council District: 5

Ferguson Map: 616 D7

Appeal:

Applicant:

Owner

Billy A. Lawrence/Magnificent So Flo
Seven Ltd.

Billy A. Lawrence/Magnificent So Flo Seven Ltd.

Zoning Request: From "I-1" General Industrial District and "I-2" Heavy Industrial District to "IDZ" Infill Development Zone District with uses permitted in "O-1" Office District, "C-2" Commercial District, and "MF-25" Multi-Family District

South 116 feet of Lots A1 and A2, NCB 2569

Property Location: 1512 South Flores Street

South of the intersection of South Flores Street and East Cevallos

Proposal: For a mixed use development

Neighborhood Association: Lone Star Neighborhood Association

Neighborhood Plan: South Central San Antonio Community Plan

TIA Statement: A Traffic Impact Analysis is not required for the "IDZ" Infill Development Zone Districts.

Staff Recommendation:

Consistent

The land use is consistent with the plan. If the site receives historic designation, future development proposals of the site should consider specific urban design standards called for in the South Central San Antonio Community Plan. The plan recommends that properties on Cevallos and Clay Streets have a 10 foot maximum front setback, parking be allowed only in the rear of the lot and behind the building, and not ingress or egress allowed on Clay Street to prevent traffic in a residential area.

Approval

There are several vacant buildings located on the subject property. The property fronts on both East Cevallos and South Flores Street.

The property was previously zoned "L" First Manufacturing District and "J" Commercial District. These districts were converted to "I-2" Heavy Industrial District and "I-1" General Industrial District with the adoption of the 2001 Unified Development Code (UDC).

CASE NO: Z2005279

Staff and Zoning Commission Recommendation - City Council

The applicant has applied for "IDZ" Infill Development Zone District in order to create a mixed-use development. This zoning district would allow for uses permitted in "O-1" Office District, "C-2" Commercial District, and "MF-33" Multi-Family District. "IDZ" districts are intended to provide a more flexible approach to the development of infill projects. The current code requirements could make the redevelopment of this structure difficult due to the nature of the existing property. The "IDZ" district would not require the development to adhere to several standards such as setback requirements, parking, parks and open space, or buffer requirements. The Master Plan encourages the development of mixed-use communities as well as infill development in Downtown San Antonio.

Zoning Commission Recommendation:

Approval

CASE MANAGER : Robin Stover 207-7945

VOTE

FOR	10
AGAINST	0
ABSTAIN	0
RECUSAL	0

Z2005279

ZONING CASE NO. Z2005279 – December 6, 2005

Applicant: Billy A. Lawrence/Magnificant So Flo Seven

Zoning Request: "I-1" General Industrial District and "I-2" Heavy Industrial District to "IDZ" Infill Development Zone District with uses permitted in "O-1" Office District, "C-2" Commercial District, and MF-33" Multi-Family District.

Jerry Tamers, 108 King William, stated that they would like to amend their request to "MF-25". He further stated that they propose to construct mixed-use development for two architectural firms. He stated that there will be 43 parking spaces and the parking area will be fenced on all sides. Also, they will be applying for historic designation before the Historic Design and Review Commission. He asked for a continuance until December 20th to continue negotiations.

OPPOSE

Mary Ozuna, 140 Simon, representing the Lone Star Homeowners Association, stated that they are opposed to the proposed development because they have not been included in the development of the property. She noted that they would like to see the property cleaned up and green space buffers provided in the development.

Sybil Mariani, 126 Lone Star Blvd., stated that she is opposed because she is concerned about the possibility of contamination of lead paint and asbestos and that the proposed use would bring more traffic into the area. She noted that there has been a lack of communication between the developers and the community.

REBUTTAL

Jerry Tamers, 108 King William, stated that they will be occupying themselves and they have done an environmental assessment on the property and there are on contaminants.

Staff stated there were 27 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor and 83 notices were mailed to the Planning Team. There was no response from the Lone Star Neighborhood Association.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

Z2005279

COMMISSION ACTION

The motion was made by Commissioner Rodriguez and seconded by Commissioner Kissling for a continuance until January 17, 2006.

1. Property is located on the South 116 feet of Lot A1 and A2, NCB 2569 at 1512 S. Flores St.
2. There were 27 notices mailed, 0 returned in opposition and 3 in favor.
3. Staff recommends approval.

**AYES: Martinez, Robbins, Rodriguez, Kissling, Farias, Marshall, Sherrill,
McAden, Avila, Stribling, Gray**

NAYS: Marshall

THE MOTION CARRIED

ZONING CASE NO. Z2005279 -- January 17, 2006

Applicant: Billy A. Lawrence/Magnificent S. Flo Seven Ltd.

Zoning Request: "I-1" Residential Single-Family District and "I-2" Heavy Industrial District to "IDZ" Infill Development Zone District with uses permitted in "O-1" Office District, "C-2" Commercial District and "MF-25" Multi-Family District.

Jerry Lamerst, 108 King William, representing the owner, stated at the last Zoning Commission meeting they requested a continuance to continue working with the neighbors and address any and all concerns they may have had.

Ken Mireles, 108 King William, representing the owner, stated they met with the surrounding neighbors, South Central Planning Team, members of St. Henry's Church and Patti Radle's Office to further discuss this development and address any concerns the citizen had. He stated the meeting was successful and feels they provide the citizens with a great deal of information about this project.

Jerry Lamerst, 108 King William, representing the owner, stated the purpose of the "IDZ" zoning designation is to allow for two architectural firms with 43 off site parking spaces with landscaping. He stated they would have the principle entrance to the building on Cevallos and the visitor entrance on South Flores. He further stated they have no intentions in adding to the structure.

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FAVOR

Christina Castro, 503 Drake, representing St. Henry's COPS, stated they strongly support this development. She stated they intent is to enhance the community and encourage new development into the neighborhood. She stated this building has been vacant for many years and has become an eyesore. She feels this development would be good for the community.

Julie Hooper, 1501 S. Flores, stated she is also in support. She stated this request is consistent with the neighborhood plan. She feels this project would enhance the community.

Patrick Shearer, 228 E. Cevallos, stated he would also like to express his support his this case. He stated this development would be very good for the community and possible encourage new development into the neighborhood.

OPPOSE

Margarita Maldonado, 841 E. Guenther, stated she would like to express concerns with how this development has been presented to the community. She stated the major of the citizens in this area are Hispanic and Spanish speaking only. She feels the citizens did not fully understand what the representatives are proposing. She feels there should be more time spent on this case and with the citizens to better educate them on what this develop is and how this would affect them.

REBUTTAL

Ken Mireles, 108 King William, representing the owner, stated the statement Ms. Maldonado made regarding the citizens in this area being Hispanic and Spanish speaking only is correct which is why they made arrangement to have someone available to translate. He stated they also made fliers announcing their meeting available in Spanish as well as notices that were mailed out to the property owners. He further stated they also made available a phone number for Spanish speaking citizens to call if they had any questions or just simply to obtain information about this development. He feels they made the effort to reach out to the Spanish speaking community to well inform them of their proposal.

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Jerry Lamerst, 108 King William, representing the owner, stated in their meetings with the community they specifically informed the citizens of the types of business that would occupy the facility as well as provide them with a site plan of how the building would look like as presented here at the meeting. Their intent is to operate two architectural firms. He feels this project would be good for the community. He further stated should their operation cease the zoning of "IDZ" would remain which will limit the use to "IDZ" instead of allowing another industrial business into the community, which he feels is inappropriate for this area.

Staff stated there were 27 notices mailed out to the surrounding property owners, 0 returned in opposition and 5 returned in favor and no response from Lone Star Neighborhood Association.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Rodriguez and seconded by Commissioner Avila to find consistency with the neighborhood plan.

AYES: Martinez, Robbins, Rodriguez, Kissling, Marshall, Sherrill, McAden, Avila, Stribling, Gray

NAYS: None

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Rodriguez and seconded by Commissioner Avila to recommend approval.

1. Property is located on South 116 feet of Lot A1 and A2, NCB 2569 at 1512 South Flores Street.
2. There were 27 notices mailed, 0 returned in opposition and 5 in favor.
3. Staff recommends approval.

Z2005279

**AYES: Martinez, Robbins, Rodriguez, Kissling, Marshall, Sherrill, McAden, Avila,
Stribling, Gray**

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

